

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CERTAINTEED CORPORATION,	)	
	)	
Plaintiff,	)	Civil Action No. 02-2677
	)	
v.	)	Hon. William H. Yohn
	)	
BOISE CASCADE CORPORATION,	)	
	)	
Defendant.	)	

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**DEFENDANT'S PRE-TRIAL DISCLOSURES**

Defendant Boise Cascade Corporation submits the following Pre-Trial Disclosures pursuant to this Court's Scheduling Orders of October 2 and 16, 2002 and Federal Rule of Civil Procedure 26(a)(3)(A) and (C).

**I. Witnesses Whom Defendant Expects to Present at Trial**

1. Laurence Ackerman  
Siegelgale  
10 Rockefeller Plaza  
3<sup>rd</sup> Floor  
New York, NY 10020
2. Jordan Berke (by deposition)  
Building Solutions  
25 Forest Road  
Glen Rock, NJ 07452
3. Gregory Brooks  
Building Supply Channel, Inc.  
P.O. Box 6741  
3028 Wolf Lake Blvd.  
New Albany, IN 47150
4. Lisa Caldwell  
Klarquist Sparkman  
121 S.W. Salmon Street  
Suite 1600  
Portland, OR 97204

5. Tom Calderwood (by deposition)  
CM Building Solutions Inc.  
17455 68<sup>th</sup> Avenue NE, #101  
Kenmore, WA 98028
6. Charles Campbell  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
7. William Christensen (by deposition)  
Sustainable Sources (Greenbuilders.com)  
108 Royal Way #1004  
Austin, TX 78737
8. Carolann Connor  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
9. Terry Cowell (by deposition)  
Total Building Solutions  
9204 Van Vleet Road  
Gaines, MI 48432
10. Chris Cramer  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
11. William Eberle  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
12. Danielle Folino  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101

13. Brian Goetz (by deposition)  
Building Solutions Unlimited  
1308 Miller Avenue  
Ann Arbor, MI
14. Martha Grala (by deposition)  
Siemens Building Technologies  
1000 Deerfield Parkway  
Buffalo Grove, IL
15. Phil Hammond (by deposition)  
Building Solutions  
201 East McNair  
Tempe, AZ 85283
16. Marcia Hannah  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
17. Vince Hannity  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
18. George Harrad  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
19. Dawn L. Hofstrand (by deposition)  
The Egan Companies  
7100 Medicine Lake Road  
Minneapolis, MN 55427
20. Thomas Hogg  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702

21. John Holleran  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
22. Britt Ide  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
23. Terris H. Inglett (by deposition)  
Honsador Lumber Corporation  
91-151 Malakole Road  
Campbell Industrial Park  
Kapolei, Hawaii 96707
24. Mark Johnson  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
25. Larry L. Kifer (by deposition)  
Carolina Building Solutions LLC  
220 Ryan Patrick Drive  
Salisbury, North Carolina 28417
26. William Lessard (by deposition)  
Building Solutions of New Bern  
412 Plantation Drive  
New Bern, North Carolina 28562
27. Charles Letovsky (by deposition)  
d/b/a Building Solutions  
56 Bulkeley Road  
Concord, MA 01742
28. Rick Mahan (by deposition)  
Preferred Building Solutions  
5118 N. 56<sup>th</sup> Street  
Suite 123  
Tampa Bay, FL 33610

29. Bradford Mattson  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
30. Jeff Miller (by deposition)  
JT Building Solutions  
P.O. Box 292344  
Kettering, Ohio 45429
31. Gregory P. Nickerson  
Bader Rutter & Associates  
13555 Bishop's Court  
Brookfield, WI 53005
32. Russell Oiring (by deposition)  
Building Solutions  
5701 North Stanton Street  
El Paso, TX 79912
33. Andrew J. Pace (by deposition)  
Mitchell Pace & Associates (d/b/a Safe Building Solutions)  
W. 292 S 4498 Hillside Road  
Genesee Depot, WI 531830
34. Dennis Parkins (by deposition)  
Total Building Solutions  
911 N. Fourth Street  
Chillicothe, IL 61523
35. Alexander Plache  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
36. Manny Pokotilow  
Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.  
1635 Market Street, 12<sup>th</sup> Floor  
Philadelphia, PA 19103
37. Christian Reick-Mistrisin (by deposition)  
NuTone, Inc.  
4820 Red Bank Road  
Cincinnati, Ohio 45227

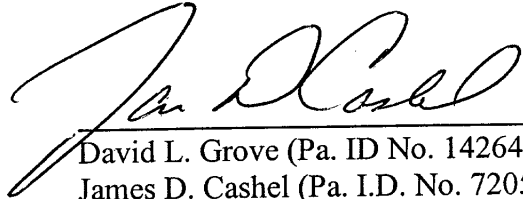
38. Russell Riggs (by deposition)  
Logical Building Solutions, LLC  
3432 Lakeside Drive  
Oklahoma City, OK 73179
39. Patricia Rowland  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
40. Robert Schultz (by deposition)  
AKRA Builders  
14590 N. 1600<sup>th</sup> Street  
Teautopolis, IL 62467
41. Otto L. Spaeth, Jr.  
Identity Works  
6 Kirby Lane North  
Rye, NY
42. Joy Stegal (by deposition)  
Metal Building Solutions L.L.C.  
248 King Street  
Oxford, ME 04270
43. Michael A. Stepnowski  
Stepnowski Brothers, Inc.  
1615 N. Delaware Avenue  
Philadelphia, PA 19125
44. Jim Sterrett  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
45. Nick Stokes  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702

- 46. Jessica Stone-Levy  
Preston Gates Ellis  
701 Fifth Avenue  
Suite 5000  
Seattle, WA 98101
- 47. Phyllis Vail  
CertainTeed Corporation  
750 E. Swedesford Road  
Valley Forge, PA 19482-0101
- 48. Susan Walton  
Boise Cascade Corporation  
One Jefferson Square  
1111 West Jefferson Street  
Boise, ID 83702
- 49. William Weilbacher  
Bismark Advertising, Inc.  
30 Bismark Way  
Dennis, MA 02638
- 50. Paul E. Zondlak (by deposition)  
Solutions Company, Inc.  
3577 N. Eastman Road  
Midland, MI 48640

**II. Exhibits That Defendant Expects to Offer at Trial**

Attached hereto as Appendix A is a list of exhibits that Defendant expects to offer at trial. Defendant reserves the right to supplement and amend this list.

DATED this 7<sup>th</sup> day of July 2003.



David L. Grove (Pa. ID No. 14264)  
James D. Cashel (Pa. I.D. No. 72056)  
Montgomery McCracken Walker  
& Rhoads LLP  
123 S. Broad St.  
Philadelphia, PA 19109  
(215) 772-1500

and

Ramsey M. Al-Salam  
William D. Fisher  
PERKINS COIE LLP  
1201 Third Avenue, Ste. 4800  
Seattle, WA 98101  
(206) 583-8888

Jeffrey D. Neumeyer  
BOISE CASCADE CORPORATION  
1111 West Jefferson Street  
P.O. Box 50  
Boise, ID 83728  
(208) 384-7460

Attorneys for Defendant Boise Cascade Corporation



# APPENDIX A

## CertainTeed Corp. v. Boise Cascade Corp.

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
1	Building Solutions Logos	CT 017749	CT 017756
2	PowerPoint Presentation titled "CertainTeed Building Solutions Architect/Building Designer Program Solutions That Meet Your Product - Design - Professional Development Needs"	CT 004460	CT 004469
3	03/1998 Document titled "Identity Guidelines - Quality Brands of CertainTeed Corporation - A Strategy for Building Brand Awareness"	CT 008009	CT 008029
4	CertainTeed brochure titled "Ventilation"	CT 003268	CT 003275
5	PowerPoint Presentation titled "Building Solutions"	CT 004443	CT 004459
6	Document titled "CertainTeed Building Solutions Builder Program"	CT 000159	CT 000206
7	CertainTeed brochure titled "Professional Development Resource, and Product Solutions that Build Your Success For Home and Building Inspectors"	CT 000138	CT 000139
8	Document titled "Solutions for the Real World"	CT 003217	CT 003236
9	U. S. Trademark Registration No. 1,823,200 registered 02/22/1994	CT 032807	CT 032807
10	Trade Publication, Subsection "Building Solutions:	BC 031795	BC 031795
11	U. S. Trademark Registration No. 2,390,753 registered 10/03/2000	CT 031371	CT 031371
12	CertainTeed Building Solutions Logo Art	CT 008442	CT 008453
13	09/19/1996 PowerPoint Presentation titled "Consumer Brand Identity Development Program Update"	CT 013116	CT 013144
14	02/2002 Document titled "CertainTeed Building Solutions to Builder Concerns"	CT 025396	CT 025402
15	01/2003 CertainTeed brochure titled "CertainTeed Remodeler Program Building Solutions"	CT 032952	CT 032971
16	01/2003 CertainTeed brochure titled "CertainTeed Builder Program Building Solutions"	CT 032998	CT 033017
17	Document titled "CertainTeed 2003 Product Matrix Building Solutions Category A Products"	CT 033035	CT 033039
18	05/24/2002 Document from Radley Resources Inc. titled "Continuing Education Perception Study - CertainTeed Corporation"	CT 025415	CT 025454
19	CertainTeed Brochure titled "Building Solutions"	CT 029080	CT 029084
20	PowerPoint Presentation titled "The Competition"	CT 022060	CT 022066
21	PowerPoint Presentation titled "Competitive Programs"	CT 018483	CT 018495

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
22	List of "Competitive Products Target"	CT 014930	CT 014930
23	CertainTeed 2002 Product Reference Guide	CT 000004	CT 000040
24	CertainTeed Quick Reference Program Guide - Building Solutions	CT 033106	CT 033126
25	CertainTeed Building Solutions brochure titled "Product, Design and Professional Development. Solutions That Build Your Success"	CT 010631	CT 010634
26	Handwritten note regarding full trademark search	CT 030252	CT 030252
27	Building Solutions trademark search results and fax transmittal confirmation (with handwritten marginalia)	CT 030210	CT 030211
28	Building Solutions trademark search results with facsimile transmittal to Gilda Saporta from Bob Rumer and fax confirmation	CT 030206	CT 030208
29	CertainTeed Interoffice Memo from Gilda Saporta to Rob Long regarding trademark search on "Building Solutions"	CT 030204	CT 030205
30	CertainTeed memorandum from Pete Kliefoth to Form-A-Drain Reps regarding New Program from CertainTeed "Building Solutions"	CT 015490	CT 015490
31	Defendant's Notice of Deposition of William R. Eberle	unnumbered	unnumbered
32	Letter from Alexander Plache to Charles Letovsky enclosing a brochure entitled "Building Solutions for the House of a Lifetime," the product for which CertainTeed is using the "Building Solutions" mark	CT 029843	CT 029843
33	Defendant Boise Cascade Corporation's Notice of Deposition to CertainTeed Corporation Pursuant to Rule 30(b)(6)	Unnumbered	Unnumbered
32	Defendant Boise Cascade Corporation's Notice of Deposition to CertainTeed Corporation Pursuant to Rule 30(b)(6)	Unnumbered	Unnumbered
35	Letter from Alexander Plache to Charles Letovsky enclosing a brochure entitled "Building Solutions for the House of a Lifetime", the product for which CertainTeed is using the "Building Solutions" mark	CT 029843	CT 029843
36	Building Solutions Fax Cover Page and letter from Charles Letovsky to Alexander Plache, CertainTeed demanding that CertainTeed cease all use of the words "Building Solutions"	CT 029835	CT 029835
37	Building Solutions Fax Cover Page and second letter from Charles Letovsky to Alexander Plache, CertainTeed demanding that CertainTeed cease all use of the words "Building Solutions"	CT 029724	CT 029727
38	Letter from Roberta Jacobs-Meadway, counsel for CertainTeed to Charles Letovsky responding to his cease and desist letters of 11/13/1997 and	CT 030103	CT 030131

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	12/12/1997		
39	Letter from John E. Ottaviani, counsel for Charles Letovsky to Roberta Jacobs-Meadway regarding CertainTeed's use of the mark "Building Solutions"	CT 030091	CT 030094
40	Letter from Roberta Jacobs-Meadway to John E. Ottaviani regarding CertainTeed's proposal to Mr. Letovsky	CT 030084	CT 030085
41	License Agreement by and between CertainTeed Corporation and Charles Letovsky for the mark "Building Solutions"(agreement not signed)	CT 029967	CT 029979
42	Letter from Richard Pierce to the Commissioner of Trademarks, U. S. Patent and Trademark Office transmitting trademark application for registration of the mark "Building Solutions"	CT 032789	CT 032804
43	Thompson & Thompson Trademark Research Report for the mark "Building Solutions" for roofing shingles, vinyl siding, vinyl windows, ventilation and insulation for residential	CT 028922	028959
44	Web page from ICF Building Solutions website	CT 034632	CT 034633
45	Web page from ICF Building Solutions website regarding ICF Building Solutions' History	CT 034622	034623
46	Letter from Roberta Jacobs-Meadway to Elliot J. Fabri, President, Carolina Building Solutions requesting that they cease and desist their use of "Building Solutions"	CT 033188	CT 033189
47	Letter from Larry Kifer, counsel for Carolina Building Solutions responding to CertainTeed's cease and desist letter of 04/16/2002	CT 033205	CT 033206
48	Letter from Larry Kifer to Roberta Jacobs-Meadway regarding the phase out of Carolina Building Solutions name	CT 033209	CT 033210
49	Letter from Kevin R. Hamel, counsel for CertainTeed to Jordan Berke, Building Solutions, Inc. regarding CertainTeed's offer to Building Solutions, Inc. of \$1,000 in exchange for Building Solutions Inc.'s assignment of ownership of the name "Building Solutions"	CT 032701	032702
50	Dun & Bradstreet Business Information Report on Building Solutions of New Bern, Inc.	CT 031619	CT 031621
51	Dun & Bradstreet Business Information Report on Building Solutions Unlimited, Inc.	CT 031615	CT 031618

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
52	Letter from Kevin Hamel to Russell Oiring, Building Solutions, Inc. regarding CertainTeed's offer to Building Solutions, Inc. of \$1,000 in exchange for Building Solutions, Inc. assignment of ownership of the name "Building Solutions"	CT 032705	CT 032705
53	Dun & Bradstreet Information Report on Building Solutions, Inc.	CT 032410	CT 032411
54	Web page from Building Solutions, Inc.'s website regarding "Building Solutions, Inc."	CT 032409	CT 032409
55	Letter from Lynn Rzonca to Mark Tidwell transmitting an Assignment and License Back Agreement by and between CertainTeed and Comfort Systems on the use of the mark "Building Solutions"	CT 034737	CT 034754
56	Letter (with attachments) from Roberta Jacobs-Meadway to H. Albert Richardson, Esq. counsel for Abacus Engineered Systems, Inc. requesting that Abacus cease and desist their use of the mark "Building Solutions"	CT 034020	CT 034033
57	Meta Crawler search results on the mark "Building Solutions"	CT 031521	CT 031529
58	Web page from Sysco Corporation's website titled "Business Building Solutions"		
59	Letter from Otto R. Lies, Manager Trademarks, Saint-Gobain Corporation to the Commissioner of Patents and Trademarks transmitting the attached trademark application for registration of the mark "Building Solutions"	CT 031535	CT 031540
60	Office Action dated 08/01/1996 and CertainTeed's Response to Office Action of 08/01/1996, Office Action dated 03/05/1997, Trademark Trial and Appeal Board's 10/01/1997 confirmation of appeal filing receipt, CertainTeed's Request to Suspend Appeal and Remand Application for Further Examination, TTAB's letter allowing CertainTeed until 03/23/1998 to file consent Agreement with a request for remand, CertainTeed's communication to the TTAB requesting that Application Serial No. 75/062,938 be remanded to the Trademark Examining Attorney, Assignment of Trademark signed by Charles Letovsky, and TTAB's notice dismissing the appeal	CT 031542	CT 029647

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
61	Letter of transmittal from Roberta Jacobs-Meadway to Assistant Commissioner for Trademarks transmitting the attached Trademark Application, six specimens, and filing fee for registration of the mark "Building Solutions"	CT 032850	CT 032926
62	Letter from Charles Letovsky to Robert Clark, Trademark Examiner, U. S. Patent and Trademark Office regarding U. S. Trademark Application Serial No. 74/324,766	CT 032820	CT 032820
63	Letter from Charles Letovsky to Robert Clark, Trademark Examiner, U. S. Patent and Trademark Office regarding U. S. Trademark Application Serial No. 74/324,766	CT 032824	CT 032824
64	Letter from Roberta Jacobs to the Assistant Commissioner for Trademarks transmitting for filing CertainTeed Corporation's Combined Declaration Under Sections 8 & 15 for U. S. Trademark Registration 1,823,200	CT 032826	CT 032828
65	Memorandum in Support of Defendant's Motion for Summary Judgment and to Dismiss filed in Civil Action No. 01 Civ. 7864 in the matter of <i>Advanced Ceramics Corporation v. Saint-Gobain Advanced Ceramics Corporation and ABC Corporations</i> , U. S. D. C. Southern District of New York	Unnumbered	unnumbered
66	Honeywell web page titled "Integrated Building Solutions"	Unnumbered	unnumbered
67	Letter from Roberta Jacobs-Meadway to Dennis Mahoney request that he cease and desist the use of the mark "Building Solutions" on his website	CT 034199	CT 034204
68	01/28/2002 Email thread from Lisa Caldwell, Vickie Jauregui, Susan Walton and Cheryl Myers to Trademark, Susan Walton, and Vickie Jauregui regarding conflicts with using "Solutions" in Nomenclature	KS-BC -0109	KS-BC 0110
69	01/28/2002 Thompson & Thompson Full Search Trademark Research Report for the mark "Solutions"	KS-BC 0160	KS-BC 0649
70	Boise Facsimile Transmittal page from Britt Ide to Lisa Caldwell attaching CertainTeed's 04/03/2002 cease and desist letter to George Harad and John Holleran	KS-BC-0127	KS-BC 0144
71	Boise interoffice memo from Britt Ide to John Holleran regarding CertainTeed's Building Solutions Trademark	BC 047198	BC 047200



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
72	Email from John D. Vandenberg, Klarquist Sparkman to Britt Ide transmitting a 04/12/2002 revised memo from Britt Ide to Lisa Caldwell regarding "Building Solutions": CertainTeed	KS-BC 0094	KS-BC0099
73	07/10/2002 Availability Opinion for Boise Building Solutions with exhibits 1-14	BC 038950	BC 039751
74	05/13/2002 letter from Jessica Stone-Levy to Britt Ide enclosing final memorandum and attachments for Analysis of CertainTeed Claim for Infringement of its Building Solutions Trademark	PGE-BC 00339	PGE-BC 00506
75	04/23/2003 Expert Report of Greg Brooks (with attachments)	Unnumbered	unnumbered
76	04/25/2003 Expert Report of Manny D. Pokotilow (with Exhibits 1-10)	Unnumbered	unnumbered
77	04/22/2003 Expert Report of William Weilbacher (with Exhibits A-D)	Unnumbered	unnumbered
78	"The Corporate Identity Process"	Spaeth Dep. Exh. 1	Spaeth Dep. Exh. 1
79	Article titled "Honors to the Bold", by Tony Spaeth, Across the Board, 03-04/2003	Spaeth Dep. Exh. 2	Spaeth Dep. Exh. 2
80	03/27/2003 engagement letter from Ramsey Al-Salam to Tony Spaeth	Spaeth Dep. Exh. 3	Spaeth Dep. Exh. 3
81	04/23/2003 Expert Report of Tony Spaeth (with attachments)	Spaeth Dep. Exh. 4	Spaeth Dep. Exh. 4
82	Document titled "Microsoft Business Solutions"	Spaeth Dep. Exh. 5 BC-TS 000009	Spaeth Dep. Exh. 5 BC-TS 000014
83	Tony Spaeth handwritten notes	Spaeth Dep. Exh. 6 BC-TS 000008	Spaeth Dep. Exh. 6 BC-TS 000008
84	04/23/2003 Email from Tony Spaeth to Ramsey Al-Salam attached draft expert report, minus an attachment	Spaeth Dep. Exh. 7 BC-TS 000016	Spaeth Dep. Exh. 7 BC-TS 000018
85	04/23/2003 Email from Tony Spaeth to Ramsey Al-Salam attaching revised draft expert report	Spaeth Dep. Exh. 8 BC-TS 000019	Spaeth Dep. Exh. 8 BC-TS 000022
86	Plaintiff's Subpoena in a Civil Case directed to Tony Spaeth	Spaeth Dep. Exh. 9	Spaeth Dep. Exh. 9
87	Identity Works document titled "Are We Running Out of Names?", identityworks.com	Spaeth Dep. Exh. 10	Spaeth Dep. Exh. 10
88	1999 Tony Spaeth's Tenth Annual Report on noteworthy identity programs, written to honor CEOs and designers alike titled "Making Their Mark", Across the Board, 02/2000	Spaeth Dep. Exh. 11	Spaeth Dep. Exh. 11
89	Stepnowski Brothers, Inc.'s Home Page, stepnowskigc.com	Stepnowski Dep. Exh. 1	Stepnowski Dep. Exh. 1
90	04/23/2003 Expert Report of Michael Stepnowski	Stepnowski Dep.	Stepnowski Dep.

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	(with attachments)	Exh. 2	Exh. 2
91	Plaintiff's Subpoena in a Civil Case directed to Michael Stepnowski	Stepnowski Dep. Exh. 3	Stepnowski Dep. Exh. 3
92	04/14/2003 engagement letter from David Grove to Michael Stepnowski	Stepnowski Dep. Exh. 4	Stepnowski Dep. Exh. 4
93	04/16/2003 Email from Ramsey Al-Salam to Michel Stepnowski regarding Mr. Al-Salam's address	Stepnowski Dep. Exh. 5 BC-MS 000001	Stepnowski Dep. Exh. 5 BC-MS 000001
94	04/23/2003 Email thread to and from Ramsey Al-Salam and Michael Stepnowski attaching expert report.	Stepnowski Dep. Exh. 6 BC-MS 000002	Stepnowski Dep. Exh. 6 BC-MS 000002
95	04/23/2003 Expert Report (with attachments) of Michael Stepnowski	Stepnowski Dep. Exh. 7 BC-MS 000003	Stepnowski Dep. Exh. 7 BC-MS 000029
96	Plaintiff's Subpoena in a Civil Case directed to Manny D. Pokotilow	Pokotilow Dep. Exh. 1	Pokotilow Dep. Exh. 1
97	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Oscar Renda Contracting, Job #1405	Weilbacher Dep. Exh. 1 BC-WW 000001	Weilbacher Dep. Exh. 1 BC-WW 000007
98	04/09/2003 LHK Partners, Inc. Builders Questionnaire for Verticle Concepts, Job #1405	Weilbacher Dep. Exh. 2 BC-WW 000134	Weilbacher Dep. Exh. 2 BC-WW 000140
99	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Construction Corp, Job #1405	Weilbacher Dep. Exh. 3 BC-WW 000590	Weilbacher Dep. Exh. 3 BC-WW 000597
	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Harper Partners Inc., Job #1405	Weilbacher Dep. Exh. 4 BC-WW 000732	Weilbacher Dep. Exh. 4 BC-WW 000738
100	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Norris Broyles Architecture, Job #1405	Weilbacher Dep. Exh. 5 BC-WW 000739	Weilbacher Dep. Exh.5 BC-WW 000739
101	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Otak Architects, Job #1405	Weilbacher Dep. Exh. 6 BC-WW 000907	Weilbacher Dep. Exh. 6 BC-WW 000907
102	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Max Levy Architects, Job #1405	Weilbacher Dep. Exh.7 BC-WW 000991	Weilbacher Dep. Exh. 7 BC-WW 000997
103	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Dewberry-Goodland, Job #1405	Weilbacher Dep. Exh. 8 BC-WW 001117	Weilbacher Dep. Exh. 8 BC-WW 001123
104	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Salverda & Assoc., Job #1405	Weilbacher Dep. Exh. 9 BC-WW 001152	Weilbacher Dep. Exh.9 BC-WW 001152

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
105	04/08/2003 LHK Partners, Inc. Builders Questionnaire for John S. Berry, Job #1405	Weilbacher Dep. Exh. 10 BC-WW 001166	Weilbacher Dep. Exh. 10 BC-WW 001172
106	04/09/2003 LHK Partners, Inc. Builders Questionnaire for Elk Creek Construction, Job #1405	Weilbacher Dep. Exh. 11 BC-WW 001222	Weilbacher Dep. Exh. 11 BC-WW 001228
107	04/09/2003 LHK Partners, Inc. Builders Questionnaire for Balvenie Group LLC, Job #1405	Weilbacher Dep. Exh. 12 BC-WW 001278	Weilbacher Dep. Exh. 12 BC-WW 001284
108	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Alan Mandel Stan, Job #1405	Weilbacher Dep. Exh. 13 BC-WW 002111	Weilbacher Dep. Exh. 13 BC-WW 002117
109	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Express Steel, Job #1405	Weilbacher Dep. Exh. 14 BC-WW 002342	Weilbacher Dep. Exh. 14 BC-WW 002348
110	04/08/2003 LHK Partners, Inc. Builders Questionnaire for Reelization, Inc., Job #1405	Weilbacher Dep. Exh. 15 BC-WW 003246	Weilbacher Dep. Exh. 15 BC-WW 003247
111	William Weilbacher handwritten notes	Weilbacher Dep. Exh. 16 BC-WW 002811	Weilbacher Dep. Exh. 16 BC-WW 002845
112	William Weilbacher handwritten notes	Weilbacher Dep. Exh. 17 BC-WW 002846	Weilbacher Dep. Exh. 16 BC-WW 002883
113	09/20/2002 William Weilbacher handwritten notes	Weilbacher Dep. Exh. 18 BC-WW 002885	Weilbacher Dep. Exh. 18 BC-WW 002885
114	04/09/2003 LHK Partners, Inc. Builders Questionnaire for Eberhardt Construction, Job #1405	Weilbacher Dep. Exh. 19 BC-WW 001194	Weilbacher Dep. Exh. 19 BC-WW 001200
115	Deposition Transcript and Exhibits of Greg Brooks	unnumbered	unnumbered
116	08/21/2002 CertainTeed's Responses and Objections to Boise Cascade's First Set of Interrogatories	unnumbered	unnumbered
117	08/21/2002 CertainTeed's Responses and Objections to Boise Cascade's First Request for the Production of Documents	unnumbered	unnumbered
118	04/11/2003 CertainTeed's Responses and Objections to Boise Cascade's Second Set of Interrogatories	unnumbered	unnumbered
119	04/11/2003 CertainTeed's Responses and Objections to Boise Cascade's Second Set of Requests for the Production of Documents	unnumbered	unnumbered
120	04/11/2003 CertainTeed's Responses to Boise Cascade's First Set of Requests for Admission	unnumbered	unnumbered
121	Certified copy of trademark file history for U. S. Trademark Registration No. 1,823,200	unnumbered	unnumbered



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
122	Certified copy of trademark file history for U. S. Trademark Registration No. 2,390,753.	unnumbered	unnumbered
123	Certified copy of trademark file history for U. S. Trademark Registration No. 2,390,753	unnumbered	unnumbered
124	Copy of file history for U. S. Trademark Application No. 75/062,938 (abandoned)	unnumbered	unnumbered
125	Brainstorming Ideas: How to Bring the "Solutions" Concept to Life for Boise People.	BC 023347	023348
126	07/10/2002 Availability Opinion for Boise Building Solutions prepared Lisa Caldwell, Klarquist Sparkman, LLP	BC 038950	038972
127	Various advertisements for Boise Building Solutions, Distribution and Boise Building Solutions, Wood Products from the 07/2002 Merchant Magazine, Boise website, The Softwood Buyer, 09/10/2002	BC 033969	BC 038740
128	Email thread to and from Suzanne Holl and Tom Hogg regarding Boise Building Solutions, Distribution advertising.	BC 005818	BC 005818
129	05/01/2002 email from Cassandra Botts to Doug Bartels, and Jana McAdams regarding Boise Building Solutions, Wood Products' "Earth Day" advertisement	BC 026515	BC 026514
130	Boise Building Solutions, Wood Products Marketing Materials from Cass Bolts	BC 038720 BC 033970	BC 038720 BC 033974
131	Boise Building Solutions Engineered Wood Products "Boise Glulam Product Guide"	BC 012096	BC 012115
132	01/10/2003 Email from Madge Dion to Jana McAdams and Susan Walton (with attachment) regarding Boise Guidelines revisions	BC 042807	BC 042823
133	2003 Boise Cascade Building Solutions, Engineered Wood Products advertisement titled "Our Newest Building Product Will Help You Build"	BC 042833	BC 042834
134	Boise Cascade Office Products "Evaluation of Alternative Company Names and Tag Lines Advertising Concept Logo Treatments", prepared by Bader Rutter & Associates, 12/2000	BC 000923	BC 001078
135	05/21/2002 Boise PowerPoint presentation presented by George J. Harad, Chairman and Chief Executive Officer	BC 017586	BC 017617
136	Boise Cascade's Newspapers and Trade Publications Launch Ad Debut Dates	BC 031795	BC 031795
137	04/03/2002 Letter from Roberta Jacobs-Meadway to George J. Harad and John W. Holleran, Boise Cascade Corporation requesting that Boise Cascade cease and desist the use of the mark "Building Solutions"	BC 031800	BC 031818

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
138	Boise Building Solutions, Distribution advertisement titled "The Strong, Silent Type", The Merchant magazine, 07/2002.	BC 033969	BC 033969
139	10/01/2001 Email from T. Merriman, Siegelgale to Susan Walton attaching a draft Brand Implementation Kit PowerPoint presentation	BC 007543	BC 007566
140	12/02/2001 Email from Dave Nemiah, Director of Research, Siegelgale to Susan Walton attaching the topline of results from Siegelgale's research.	BC 007859	BC007863
141	12/02/2001 Email from Dave Nemiah, Director of Research, Siegelgale to Susan Walton and Vince Hannity attaching a revised version of research results	BC 007864	BC 007868
142	01/29/2003 PowerPoint presentation titled "Building the Boise Brand" by Vince Hannity	BC 030797	BC 030834
143	02/12/2002 Email thread to and from T. Merriman, Siegelgale to Susan Walton regarding proposed "Solutions" nomenclature	BC 008078	BC 008083
144	08/20/2002 Lisa Caldwell billing records	KS-BC	KS-BC
145	Susan Walton's handwritten notes dated 01/30/2002	KS-BC 0120	KS-BC 0120
146	Electronic Search System for U. S. Trademarks (TESS) for "Solution" and "Building"	BC 045992	BC 046003
147	Electronic Search System for U. S. Trademarks (TESS) for "Solution" and "Building" as non-punctuated work marks	BC 045987	BC 045991
148	CertainTeed brochure titled "Building Solutions For the Home of a Lifetime"	CT 000682	CT 000700
149	CertainTeed brochure titled "CertainTeed Building Solutions Product Solutions"	CT 001996	CT 002028
150	CertainTeed brochure titled "Quality Brands of CertainTeed Corporation"	CT 001959	CT 001978
151	CertainTeed Building Solutions "Remodeler Program" brochure	CT 000096	CT 000115
152	Advertisement titled "The Ultimate Information and Design Tool - Enter a world of Building Solutions from CertainTeed utilizing one easy-to-use CD-ROM"	CT 014742	CT 014743
153	02/2002 CertainTeed brochure titled "Building Solutions to Builder Concerns"	CT 025396	CT025402
154	Pages from the CertainTeed "Ventilation" binder (7 pages)	CT 003368	CT 003275

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
155	CertainTeed brochure titled "Take it to the limit - Building Solutions Together" Residential Builder Sign Up and Rebate Example, Modular Manufacturer Sign Up and Rebate Example, Commercial Sign Up and Rebate Example, Sample Architect Cover Memo, Sample Architect Hot Lead	CT 000254	CT 000263
156	CertainTeed PowerPoint presentation titled "Introducing Building Solutions"	CT 015952	CT 015959
157	CertainTeed brochure titled "Vinyl Railing and Vinyl Deck"	CT 005383	CT 005445
158	CertainTeed brochure titled "Product Reference Guide"	CT 000560	CT 000574
159	CertainTeed brochure titled "CertainTeed Building Solutions The Attic: Three Components - One System Professional Education Series	CT 010531	CT 010573
160	CertainTeed brochure titled "Builder Program - Residential, Commercial, Modular	CT 025618	CT 025637
161	CertainTeed brochure titled "CertainTeed Building Solutions Builder Program"	CT 000159	CT 000206
162	Page from Residential Architect website titled "Production House Proud - The AIA's Housing Committee Chair wants you to take production housing seriously," by Michael K. Medick, AIA, 10/06/2002, residentialarchitect.com	unnumbered	unnumbered
163	Document titled "Boise - The change from "products" to "solutions"	unnumbered	unnumbered
164	"Launch of new trade name scheduled for March 14", Boise Brand News, 02/25/2002, Issue No. 5	BC 018544	BC 018547
165	"Branding Project Leads to New Names to Describe Our Businesses", Boise Brand News, 01/28/2002, Issue No. 4	BC 018548	BC 018551
166	04/19/2002 Email thread to and from Susan Walton to Larry Ackerman regarding "Thoughts on Solutions"	BC 023345	BC 023346
167	"Corporate Website Project and "Brand Implementation articles from the Boise Brand News, 12/05/2001, Issue No. 2	BC 030380	BC 030383
168	"Consistent face important to incorporating brand", Boise Brand News, 05/10/2002, Issue No. 6	BC 001705	BC 001708
169	"Branding -- Building on a Name", Boise Brand News	BC 032277	BC 032284
170	11/20/2001 PowerPoint presentation titled "Boise Brand Architecture Models Benefits and drawbacks", Siegelgale	BC 030282	BC 030288
171	09/26/2001 Boise PowerPoint presentation titled "Corporate Brand"	BC 007523	BC 007538
172	08/26/2002 PowerPoint presentation titled "Boise	BC 000292	BC 002869

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	Building Solutions Customer Counsel - A Look Inside the Boise Brand", Siegelgale		
173	Boise internal document titled "General Q & A - For Use with All Audiences"	BC 031145	BC 031147
174	04/10/2002 Boise PowerPoint Presentation titled "Exterior Signage	BC 031029	BC 031042
175	PowerPoint presentation titled " Boise Cascade Corporation Business Units Divisions, Boise Paper Solutions, Boise Building Solutions, Boise Office Solutions"	BC 030863	BC 030871
176	02/07/2002 Boise PowerPoint presentation titled "Board of Directors Meeting Developing and Living the Boise Brand"	BC 030835	BC 030862
177	01/29/2002 Draft PowerPoint presentation titled "Building the Boise Brand" by Vince Hannity (with handwritten marginalia)	BC 031409	BC 031446
178	10/23/2001 Siegelgale PowerPoint presentation titled "Boise Cascade Concept Strategy Presentation"	BC 029645	BC 029662
179	11/2001 Siegelgale PowerPoint presentation titled "Boise Brand Promise Breakdown and message points"	BC 030289	BC 030299
180	10/09/2001 Brand Promise - Management Committee Meeting Notes	BC 029663	BC 029680
181	10/08/2001 Siegelgale PowerPoint presentation titled "Positioning Boise Cascade - Executive Workshop - Discussion Outline"	BC 029743	BC 029736
182	11/2001 PowerPoint presentation titled "Positioning the Company for the Future"	BC 027033	BC 027048
183	05/08/2001 Strategic Decisions Group PowerPoint presentation titled "Initial Thoughts on Boise Cascade Branding"	BC 029915	BC 029934
184	Document titled "Boise Brand Promise - Three Directions" (4 pages)	unnumbered	unnumbered
185	The Home Depot Supply advertisement titled "You Have the Inspiration. Now We Have The Solution", The Home Depot	unnumbered	unnumbered
186	2003 United States Gypsum Company brochure titled " Leading Performance Solutions"	unnumbered	unnumbered
187	Page from the Ace Hardware website titled "Ace Hardware to Open Nine New Prototype Stores in Houston and Denver - Nine Home Solutions Concept Stores scheduled to open within the next 18 months", acehardware.com	unnumbered	unnumbered
188	Boise Building Solutions Internet website	unnumbered	unnumbered

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
189	10/18/1992 Trademark Application, Principal Register, With Declaration for the mark "Building Solutions" and design.	LET-CT 0009	LET-CT 0011
190	Confirmation by U. S. Trademark Office of filing 10/18/1992 Trademark Application, Principal Register, With Declaration for the mark "Building Solutions" and design and assigning Application Serial No. 74/324,766	CT 032815	CT032814
191	10/23/1992 Confirmation of trademark application for the mark "Building Solutions" and design (with mark and design circled and "cancel" handwritten within the circle	CT 032809	CT 032809
192	03/05/1993 U. S. Trademark Office Action for Trademark Application Serial No. 74/324,766	LET-CT 0002	LET-CT 0004
193	07/19/1993 Response to Office Action, Trademark Application Serial No. 74/324,766.	CT 032824	CT 032824
194	06/14/1993 U. S. Trademark Office Action for Trademark Application Serial No. 74/324,766 stating that applicant must disclaim the descriptive wording "Building" apart from the mark	CT 032822	CT 032821
195	U. S. Trademark Registration No. 1,823,200, issued 02/22/1994 to Charles Letovsky for the mark "Building Solutions" and design.	LET-CT 0013	LET-CT 0014
196	11/03/1997 Letter from Alexander Plache to Charles Letovsky regarding consent from Mr. Letovsky to assist CertainTeed in procuring a Trademark Registration for the mark "Building Solutions" in International Classes 17 and 19 only	LET-CT 0065	LET CT 0065
197	CertainTeed brochure titled "Building Solutions For the Home of A Lifetime"	LET CT-0068	LET CT 0071
198	11/04/1997 Letter from Charles Letovsky to Alexander Plache regarding brochure titled "Building Solutions for the House of a Lifetime"	LET-CT 0066	LET-CT 0066
199	01/27/1998 Letter from Roberta Jacobs-Meadway to Charles Letovsky regarding CertainTeed's Building Solution Program and enclosing a listing of Building Solutions construction businesses	LET-CT 0080	LET-CT 0083
200	02/13/1998 Letter from John Ottaviani, Esq. to Roberta Jacobs-Meadway regarding CertainTeed's use of the mark "'Building Solutions" (letter marked Draft)	LET-CT 0084	LET-CT 0085
201	02/25/1998 Letter from John Ottaviani to Roberta Jacobs-Meadway regarding CertainTeed's use of the mark "Building Solutions"	LET-CT 0088	LET-CT 0089



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
202	02/26/1998 Letter from Charles Letovsky to Alexander Plache regarding CertainTeed's use of the mark "Building Solutions" and transmitting copy of 02/25/1998 letter from John Ottaviani to Roberta Jacobs-Meadway	LET-CT 0093	LET-CT 0093
203	03/12/1998 Letter from John Ottaviani to Roberta Jacobs-Meadway requesting a more definite proposal from CertainTeed regarding CertainTeed's intentions for the use of the mark "Building Solutions"	LET-CT 0094	LET-CT 0094
204	03/24/1998 Letter from John Ottaviani to Scott Green requesting that Mr. Green cease and desist the use of the mark "Building Solutions"	LET-CT-0095	LET-CT 0095
205	06/17/1998 Letter from John Ottaviani to Roberta Jacobs-Meadway with enclosed proposed agreements with comments and revisions regarding assignment of trademark rights in the mark "Building Solutions" from Mr. Letovsky to CertainTeed	LET-CT-0098	LET-CT 0106
206	Draft License Agreement by and between CertainTeed Corporation and Charles Letovsky (with marginalia)	CT 029967	CT 029979
207	01/21/1998 Letter from Charles Letovsky to Roberta Jacobs-Meadway regarding CertainTeed's agreement to try to stop the use of the mark "Building Solution" by Scott Green.	LET-CT 0079	LET-CT 0079
208	NuTone brochure titled "Building Solutions for Today's Lifestyles" (with handwritten marginalia)	LET-CT 0074	LET-CT 0078
209	10/03/2002 Letter from Charles Letovsky to Roberta Jacobs-Meadway with attached flyer and the use of the mark "Building Solutions"	LET-CT 0125	LET-CT 0127
210	02/09/2000 Letter from Roberta Jacobs-Meadway to Charles Letovsky requesting specimens evidencing use of the mark "Building Solutions and Design"	LET-CT 0114	LET-CT 0124
211	02/01/2000 Combined Declaration Under Sections 8 & 15 filed with the U. S. Trademark Office on 02/15/2000 for Trademark Registration No. 1,823,200 for the mark "Building Solutions and Design"	CT 032827	CT 032830
212	Page 8 from "The Lincoln Guide Community Phonebook & Yellow Pages for the Year 2002," 6 <sup>th</sup> edition	LET-CT 0053	LET-CT 0054
213	Page 16 from "The Concord Guide Community Phonebook & Yellow Pages for the Year 2002"	LET-CT 0055	LET-CT 0056
214	Document titled "Happy New Year From Building Solutions"	LET-CT 0058	LET-CT 0058

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
215	Facsimile Cover Sheet letter from Roberta Jacobs-Meadway to John Ottaviani regarding CertainTeed and the "Building Solutions" mark and name	CT 030027	CT 030028
216	08/26/1998 Letter from John Ottaviani to Roberta Jacobs-Meadway requesting status of CertainTeed pursuing Scott Green pursuant to Section 7 of the 06/10/1998 Agreement between CertainTeed and Charles Letovsky	LET-CT 0111	LET-CT 0111
217	02/04/1999 Letter from Roberta Jacobs-Meadway to Charles Letovsky regarding Scott Green's use of the mark "Building Solutions"	LET-CT 0112	LET-CT 0112
218	07/21/1998 Assignment of Trademark Registration No. 1,823,200 from Charles Letovsky to CertainTeed Corporation	CT 029963	CT 029965
219	09/27/1999 Letter from Charles Letovsky to Roberta Jacobs-Meadway transmitting the Trademark or Service Mark Cancellation Alert notice received by Mr. Letovsky for Trademark Registration No. 1,823,200	LET-CT 0113	LET-CT 0113
220	11/16/1999 Letter from Roberta Jacobs-Meadway to Scott Green requesting that Mr. Green cease and desist the use of the mark "Building Solutions"	CT 031387	CT 031394
221	09/08/2000 Letter from Charles Letovsky to Roberta Jacobs-Meadway with enclosed "Urgent Notice of EETM Service Registration received by Mr. Letovsky from the U. S. Trademark Office	CT 032335	CT 032337
222	03/10/2003 Email from Bill Christensen, Greenbuilders.com to William Fisher, Esq., Perkins Coie transmitting email from Mr. Green to Roberta Jacobs-Meadway and memo to Ms. Jacobs-Meadway regarding CertainTeed's research of the mark "Building Solutions"	CHRISTENSEN 000001	CHRISTENSEN 000002
223	08/29/2002 Email thread to and from Roberta Jacobs-Meadway and William Christensen regarding "Green Building Solutions"	CHRISTENSEN 000578	CHRISTENSEN 000579
224	03/10/2003 Email to and from Roberta Jacobs-Meadway and William Christensen with attached 09/03/2002 License Agreement by and between CertainTeed Corporation and Sustainable Sources (agreement unsigned)	CHRISTENSEN 000003	CHRISTENSEN 000004
225	12/02/2002 Email thread to and from Lynn Rzonca and Greenbuilder.com regarding proposed changes to the language of the License Agreement between Sustainable Sources and CertainTeed	CHRISTENSEN 000586	CHRISTENSEN 000586

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
226	12/07/2002 Email thread to and from Sustainable Sources and Lynn Rzonca regarding "Green Building Solutions"	CHRISTENSEN 000604	CHRISTENSEN 000604
227	02/12/2003 Email from Lynn Rzonca to William Christensen with attached 09/03/2002 License Agreement (agreement unsigned)	CHRISTENSEN 000005	CHRISTENSEN 000006
228	Emails to and from Roberta Jacobs-Meadway, Lynn Rzonca and William Christensen regarding "Green Building Solutions"	CHRISTENSEN 000443	CHRISTENSEN 000608
229	02/27/2003 Email thread to and from William Christensen and William Fisher regarding deposition subpoena received by Mr. Fisher and an email sent to various green building discussion lists by William Christensen	CHRISTENSEN 000007	CHRISTENSEN 000008
230	02/27/2003 Email thread to and from William Christensen and William Fisher with attached survey page regarding "Green Building Solutions"	CHRISTENSEN 000009	CHRISTENSEN 000011
231	CertainTeed form responses sent to Roberta Jacobs-Meadway regarding "Green Building Solutions"	CHRISTENSEN 000012	CHRISTENSEN 000338
232	CertainTeed form responses sent to Roberta Jacobs-Meadway regarding "Green Building Solutions"	CHRISTENSEN 000330	CHRISTENSEN 000442
233	AKRA Builders, Inc.'s business card	AKRA 0048	AKRA 0048
234	AKRA Building Solutions newsletter and invitation to an open house	AKRA 0052	AKRA 0053
235	Document titled "Effingham Recreation Center, Effingham, IL - AKRA Buildings, Inc. Building Solutions"	AKRA 0054	AKRA 0054
236	Advertisement Proof for "AKRA Builders, Inc. Building Solutions"	AKRA 0055	AKRA 0055
237	Advertisement titled "Another Project by: Akra Builders, Inc. - Building Solutions"	AKRA 0056	AKRA 0056
238	Akra Builders, Inc. letterhead with "Building Solutions"	AKRA 0057	AKRA 0057
239	Article from the Consolidated Communications Directories titled "Akra Builders, Inc. - Building Solutions"	AKRA 0058	AKRA 0061
240	11/10/1999 Letter from Roberta Jacobs-Meadway to CEO, Akra Builders, Inc. requesting that Akra cease and desist their use of the mark "Building Solutions"	AKRA 0006	AKRA 0007
250	08/15/2000 Letter from Roberta Jacobs-Meadway to Robert F. Schultz, Schultz Investment Co., LLC with attached fully executed License Agreement dated 05/01/2000 by and between CertainTeed Corporation and Akra Builders, Inc.	AKRA 0008	AKRA 0011



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
251	07/28/2000 Memo of Understanding by and between Dennis Parkins, Gary Sutton and Steve Rump and Donald White regarding forming of a company named "Building Solutions"	TBS 000002	TBS 000002
252	State of Illinois Office of the Secretary of State Articles of Incorporation for "Total Business Solutions, Inc. filed on 10/13/2000	TBS 000006	TBS 000008
253	State of Illinois Office of the Secretary of State Articles of Incorporation for "Total Building Solutions, Inc. filed on 10/30/2000	TBS 000003	TBS 000005
254	Total Buildings Solutions business card	TBS 000001	TBS 000001
255	Document titled "JT Building Solutions"	JTBS 000014	JTBS 000014
256	Secretary of State Certificate from the State of Ohio for "JT Building Solutions"	JTBS 000004	JTBS 000004
257	Business card for "JT Building Solutions"	JTBS 000009	JTBS 000009
258	12/17/1997Dun & Bradstreet Business Information Report on Building Solutions Unlimited, Inc.	CT 031615	CT 031618
259	Building Solutions Unlimited, Inc. Job Description form (blank)	Goetz Dep. Exh. 2	Goetz Dep. Exh. 2
260	Building Solutions Unlimited, Inc. letterhead form and copy of page from Yellow Pages Directory	Goetz Dep. Exh. 3	Goetz Dep. Exh. 3
261	Building Solutions Unlimited, Inc.'s listing from the Yellow Pages Directory	Goetz Dep. Exh. 4	Goetz Dep. Exh. 4
262	Building Solutions Unlimited, Inc.'s Job Description form (blank)	Goetz Dep. Exh. 5	Goetz Dep. Exh. 5
263	Business card for Brian Goetz, Building Solutions Unlimited, Inc.	Goetz Dep. Exh. 6	Goetz Dep. Exh. 6
264	Building Solutions Unlimited, Inc. Letterhead	Goetz Dep. Exh. 7	Goetz Dep. Exh. 7
265	Building Solutions Unlimited, Inc.'s listing from the Business White Pages	Goetz Dep. Exh. 8	Goetz Dep. Exh. 8
266	Building Solutions Unlimited, Inc.'s listing from the Yellow Pages Directory	Goetz Dep. Exh. 9	Goetz Dep. Exh. 9
267	Business card for Dawn L. Hofstrand, The Egan Companies "Building Integrated Solutions"	EGAN 000030	EGAN 000030
268	Egan-McKay Electrical Contractors, Inc. "Building Integrated Solutions" Electrical Wiring Proposal form (blank)	EGAN 000054	EGAN 000054
269	Egan-McKay Electrical Contractors, Inc. "Building Integrated Solutions" Request for Information form (blank)	EGAN 000056	EGAN 000056
270	Egan-McKay Electrical Contractors, Inc. "Building Integrated Solutions" Requisition Form (blank)	EGAN 000059	EGAN 000059
271	Egan-McKay Electrical Contractors, Inc. "Building Integrated Solutions" Work Order form (blank)	EGAN 000060	EGAN 000060

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
272	Egan-McKay Electrical Contractors, Inc. "Building Integrated Solutions" Letter of Transmittal form (blank)	EGAN 000062	EGAN 000062
273	U. S. Trademark Registration No. 1,831,570, registered on 04/19/1994 to The Egan Companies for the mark "Building Integrated Solutions"	EGAN 000046	EGAN 000047
274	U. S. Trademark Notice of Acceptance and Notice of Acknowledgement for U. S. Trademark Registration No. 1,831,570	EGAN 000031	EGAN 000031
275	Web page from Preferred Building Solutions, Inc. (PBS) Construction	Mahan Dep. Exh. 1	Mahan Dep. Exh. 1
276	Business Card for Rick Mahan, PBS Preferred Building Solutions, Inc.	Mahan Dep. Exh. 2	Mahan Dep. Exh. 2
277	05/14/2002 Letter from Roberta Jacobs-Meadway to Preferred Building Solutions, Inc. requesting that PBS cease and desist their use of the mark "Building Solutions"	Mahan Dep. Exh. 3	Mahan Dep. Exh. 3
278	05/16/2002 Letter from Randall Reder, counsel for PBS to Roberta Jacobs-Meadway in response to 05/14/2002 cease and desist letter	Mahan Dep. Exh. 4	Mahan Dep. Exh. 4
279	Certificate of Incorporation of Walls-R-Us Contracting Corp., Secretary of State for the State of New Jersey	BERKE 000001	BERKE 000002
280	Certificate of Amendment to the Certificate of Incorporation of Walls-R-Us Contracting Corp amended to Building Solutions, Inc.	BERKE 000003	BERKE 000004
281	Advertisement titled "Building Solutions, Inc. Home Improvement, Renovations, Additions, Kitchens, Bathrooms"	BERKE 000005	BERKE 000005
282	Advertisement titled "Building Solutions, Inc. Home Improvement, Renovations, Additions, Kitchens, Bathrooms, Broadcaster, 04/2003	BERKE 000006	BERKE 000006
283	Business card for Jordan Berke, Building Solutions, Inc.	BERKE 000007	BERKE 000007
284	Building Solutions, Inc. Proposal form (blank)	BERKE 000008	BERKE 000008
285	08/26/2002 Residential Construction Contract agreement by Building Solutions, Inc. (owner name redacted)	BERKE 000009	BERKE 000011
286	12/11/1997 Letter from Kevin Hamel, Esq. to Jordan Berke, Building Solutions, Inc. regarding CertainTeed's offer to Building Solutions, Inc. for the use of the name "Building Solutions"	CT 032701	CT 032702
287	State of Arizona, Department of State Renewal of Trade Name "Building Solutions"	HAMMOND 000001.1	HAMMOND 000001.1
288	State of Arizona, Registrar of Contractors, Building Solutions Business License No. ROC179073	HAMMOND 000002	HAMMOND 000002
289	Business card for Phil Hammond, Building	HAMMOND	HAMMOND

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	Solutions	000001	000001
290	Building Solutions letterhead	HAMMOND 000003	HAMMOND 000003
291	Advertisement titled "The Mirror Finish by Building Solutions"	Hammond Dep. Exh. 5	Hammond Dep. Exh. 5
292	Trade Publishing Company facsimile cover sheet and attached advertisement titled "Honsador Hawaiian Home Package Includes:	HONSADOR 000001	HONSADOR 000002
293	State of Hawaii, Department of Commerce and Consumer Affairs Application for Registration of Service Mark by Honsador Lumber Corporation	HONSADOR 000031	HONSADOR 000033
294	Brochure titled "Honsador Lumber Building Solutions for Hawaii	HONSADOR 000003	HONSADOR 000026
295	03/21/2003 Trade Publishing Company facsimile cover sheet from Barry Redmayne to Terris Inglett with attached advertisement titled "Building Solutions for Hawaii"	HONSADOR 000027	HONSADOR 000030
296	State of California, Secretary of State Articles of Incorporation of Building Solutions, Inc.	OIRING 000001	OIRING 000002
297	Business card for Russell Oiring , Building Solutions, Inc.	OIRING 000003	OIRING 000003
298	Advertisement from Building Solutions, Inc. showing picture of Russell Oiring	OIRING 000004	OIRING 000005
299	State of Texas, Secretary of State, Certificate of Organization of EP Building Solutions, L.L.C.	OIRING 000011	OIRING 000011
300	11/19/1984 Proposal and Contract for Home Improvement by and between Forest Batchelder & William Jetland and Building Solutions	OIRING 000012	OIRING 000012
301	07/19/1988 Proposal and Contract for Home Improvement by and between Mr. & Mrs. Thomas C. Todd and Building Solutions, Inc.	OIRING 000013	OIRING 000013
302	12/11/1997 Letter from Kevin Hamel to Russell Oiring, Building Solutions, Inc. regarding CertainTeed's offer to Building Solutions, Inc. for use of name "Building Solutions"	CT 032705	CT 032705
303	07/02/2002 Letter from Roberta Jacobs-Meadway to Russell Oiring, EP Building Solutions, L.L.C. requesting that EP Building Solutions cease and desist their use of the mark "Building Solutions"	OIRING 000006	OIRING 000006
304	09/06/2002 Letter from Roberta Jacobs-Meadway to Russell Oiring requesting documentary evidence of the nature, extent and length of EP Building Solutions use of the mark "Building Solutions"	OIRING 000008	OIRING 000008

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
305	11/18/2002 Letter from Roberta Jacobs-Meadway to Russell Oiring notifying EP Building Solutions that CertainTeed had filed a lawsuit in the U. S. District court for the Eastern District of Pennsylvania to enforce CertainTeed's rights in the mark "Building Solutions"	OIRING 000010	OIRING 000020
306	Pages from publication titled "Building Solutions", a publication for improved profitability through better building performance, Vol. 1, No. 1, 1996	Grala Dep. Exh. 1	Grala Dep. Exh. 1
307	Publication titled Siemens Building Automation "Building Solutions", Vol. 6, No. 2, 2002	Grala Dep. Exh. 2	Grala Dep. Exh. 2
308	Document titled "Solutions", a publication for users of Powers System 600, Vol. 4, No. 3, 08/1991	Grala Dep. Exh. 3	Grala Dep. Exh. 3
309	"Building Solutions", Vol. 2, No. 2, 1998	Grala Dep. Exh. 4	Grala Dep. Exh. 4
310	Siemens "Building Solutions", Vol. 3.2	Grala Dep. Exh. 5	Grala Dep. Exh. 5
311	Network Solutions Who is search results for Siemens Building Technologies, networksolutions.com	Grala Dep. Exh. 6	Grala Dep. Exh. 6
312	Webpage for Siemens - Building Automation/HVAC Products - Solutions "The right solution for every building", buildingsolutions.com	Grala Dep. Exh. 7	Grala Dep. Exh. 7
313	Webpage from siemens.com website titled "Building Solutions Magazine (4 pages)"	Grala Dep. Exh. 8	Grala Dep. Exh. 8
314	Defendant's Deposition Subpoena directed to NuTone, Inc.	Reick-Mitrisin Dep. Exh. 1	Reick-Mitrisin Dep. Exh. 1
315	Printout of portion of NuTone, Inc.s website	Reick-Mitrisin Dep. Exh. 2	Reick-Mitrisin Dep. Exh. 2
316	Printout of a computer file	Reick-Mitrisin Dep. Exh. 3	Reick-Mitrisin Dep. Exh. 3
317	Printout of a computer file	Reick-Mitrisin Dep. Exh. 4	Reick-Mitrisin Dep. Exh. 4
318	Advertisement from 1995 Issue of Professional Builder Magazine	Reick-Mitrisin Dep. Exh. 5	Reick-Mitrisin Dep. Exh. 5
319	Advertisement from 1997 Issue of Professional Builder Magazine	Reick-Mitrisin Dep. Exh. 6	Reick-Mitrisin Dep. Exh. 6
320	1996 NuTone, Inc. catalog	Reick-Mitrisin Dep. Exh. 7	Reick-Mitrisin Dep. Exh. 7
321	1998 Full Line NuTone, Inc. catalog	Reick-Mitrisin Dep. Exh. 8	Reick-Mitrisin Dep. Exh. 8
322	NuTone Product Line Specific Marketing Piece	Reick-Mitrisin Dep. Exh. 9	Reick-Mitrisin Dep. Exh. 9
323	Literature regarding Central Cleaning Systems	Reick-Mitrisin Dep. Exh. 10	Reick-Mitrisin Dep. Exh. 10
324	Literature regarding Kitchen Ventilation	Reick-Mitrisin Dep. Exh. 11	Reick-Mitrisin Dep. Exh. 11



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
325	NuTone Brand of Ventilation Products, 2/2003	Reick-Mitrisin Dep. Exh. 12	Reick-Mitrisin Dep. Exh. 12
326	Brochure for Central Vacuum System	Reick-Mitrisin Dep. Exh. 13	Reick-Mitrisin Dep. Exh. 13
327	Brochure for The Intercom System	Reick-Mitrisin Dep. Exh. 14	Reick-Mitrisin Dep. Exh. 14
328	Brochure for Built-In Speakers	Reick-Mitrisin Dep. Exh. 15	Reick-Mitrisin Dep. Exh. 15
329	NuTone, Inc. advertisement or Handout for Central Intercom System	Reick-Mitrisin Dep. Exh. 16	Reick-Mitrisin Dep. Exh. 16
330	NuTone, Inc. advertisement or Handout for Covering Ventilation Products	Reick-Mitrisin Dep. Exh. 17	Reick-Mitrisin Dep. Exh. 17
331	Announcement of advertising campaign of NuTone, Inc.'s products	Reick-Mitrisin Dep. Exh. 18	Reick-Mitrisin Dep. Exh. 18
332	NuTone advertisement that states "Together we can create building solutions for today's lifestyles"	Reick-Mitrisin Dep. Exh. 19	Reick-Mitrisin Dep. Exh. 19
333	NuTone advertisement that states "It's no wonder NuTone has been the leader in building solutions for more than 60 years"	Reick-Mitrisin Dep. Exh. 20	Reick-Mitrisin Dep. Exh. 20
334	NuTone advertisement that states "Ask us about NuTone's new basic intercom system"	Reick-Mitrisin Dep. Exh. 21	Reick-Mitrisin Dep. Exh. 21
335	NuTone advertisement that states "Presenting the building solution that looks as good as it sounds, NuTone's IM-4406 intercom with CD player and radio"	Reick-Mitrisin Dep. Exh. 22	Reick-Mitrisin Dep. Exh. 22
336	Document that reflects a promotion that NuTone had or has for one of its products	Reick-Mitrisin Dep. Exh. 23	Reick-Mitrisin Dep. Exh. 23
337	1998 Brochure for the 1998 Ventilation Program	Reick-Mitrisin Dep. Exh. 24	Reick-Mitrisin Dep. Exh. 24
338	Model Home Agreement issued by NuTone, Inc.	Reick-Mitrisin Dep. Exh. 25	Reick-Mitrisin Dep. Exh. 25
339	Document that reflects the materials that NuTone provides its customers to use in connection with their business	Reick-Mitrisin Dep. Exh. 26	Reick-Mitrisin Dep. Exh. 26
340	Image of display signage material that was provided in 1997	Reick-Mitrisin Dep. Exh. 27	Reick-Mitrisin Dep. Exh. 27
341	Display systems materials that NuTone provides its customers for use in connection with their business that references "pick a panel header"	Reick-Mitrisin Dep. Exh. 28	Reick-Mitrisin Dep. Exh. 28
342	Display system materials that NuTone provides its customers for use in connection with their business	Reick-Mitrisin Dep. Exh. 291	Reick-Mitrisin Dep. Exh. 29
343	Lay-out of a merchandising display	Reick-Mitrisin Dep. Exh.30	Reick-Mitrisin Dep. Exh. 30
344	ProInstall Installation Referral Service	Reick-Mitrisin Dep. Exh. 31	Reick-Mitrisin Dep. Exh. 31

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
345	NuTone presentation presented to Home Depot using the term "building solutions"	Reick-Mitrisin Dep. Exh. 32	Reick-Mitrisin Dep. Exh. 32
346	Marketing material provided by NuTone to its customers wherein the NuTone name appears on the ad as well as the term "building solutions"	Reick-Mitrisin Dep. Exh. 33	Reick-Mitrisin Dep. Exh. 33
347	Presentations that NuTone gave to some of its customers and using the term "building solutions" in connection with the presentations	Reick-Mitrisin Dep. Exh. 34	Reick-Mitrisin Dep. Exh. 34
348	Document from D&B Monitoring Scope RE: Metal Building Solutions	MBS 000011	MBS 000013
349	Brochure titled "Design/Build Solutions" RE: Metal Building Solutions	MBS 000025	MBS 000054
350	Business card for Building Solutions LLC	MBS 000001	MBS 000010
351	Letterhead of Building Solutions LLC RE: Metal Building Solutions	MBS 000014	MBS 000014
352	Envelope for Letterhead of Building Solutions LLC RE: Metal Building Solutions	MBS 000015	MBS 000015
353	Phone Message Sheet of Building Solutions LLC RE: Metal Building Solutions	MBS 000016	MBS 000016
354	Schematic of Building Solutions LLC RE: Metal Building Solutions	MBS 000017	MBS 000017
355	Photographs of Site Signs RE: Metal Building Solutions	MBS 000022	MBS 000022
356	Trade Reference Sheet of Building Solutions LLC RE: Metal Building Solutions	MBS 000023	MBS 000023
357	Materials of March 20, 2003 regarding subpoena and reimbursement RE: Metal Building Solutions	unnumbered	Unnumbered
358	"Certificate of Formation of Fisher Products, LLC" RE: Kifer	CAROLINA 000187	CAROLINA 000187
359	"Certificate of Amendment of Fisher Products, LLC" RE: Kifer	CAROLINA 000188	CAROLINA 000188
360	"Certificate of Assumed Name for Corporation" RE: Kifer	CAROLINA 000185	CAROLINA 000185
361	License Certificate for "Carolina Building Solutions, LLC" RE: Kifer	CAROLINA 000176	CAROLINA 000176
362	"City of Salisbury Business License" dated 07/01/02 for "Carolina Building Solutions" RE: Kifer	CAROLINA 000178	CAROLINA 000178
363	"Certificate of License" from South Carolina Building Codes Council dated 07/01/01 RE: Kifer	CAROLINA 000183	CAROLINA 000183
364	"Certificate of License" from South Carolina Manufactured Housing Board dated 07/30/02 RE: Kifer	CAROLINA 000180	CAROLINA 000180
365	"Modula Building Unit Installer License" issued by State of Tennessee to "Carolina Building Solutions," expiring 06/30/03 RE: Kifer	CAROLINA 000172	CAROLINA 000172
366	"Manufactured Homes Manufacturer" certificate to	CAROLINA	CAROLINA

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	"Carolina Building Solutions, LLC" issued by State of Georgia on 01/07/03 RE: Kifer	000173	000173
367	"National Association of Home Builders" proof of membership certificate to "Carolina Building Solutions" dated 02/02 RE: Kifer	CAROLINA 000179	CAROLINA 000179
368	"Virginia Manufactured and Modular Housing Association" proof of member in good standing of "Carolina Building Solutions" dated 2003 RE: Kifer	CAROLINA 000175	CAROLINA 000175
369	"Certificate of License" issued by "Residential Warranty Corporation" to "Carolina Building Solutions" expiring 07/01 RE: Kifer	CAROLINA 000181	CAROLINA 0001081
370	"Certificate of License" issued by "Manufactured Housing Warranty Corporation" to "Carolina Building Solutions, Inc." expiring 07/01 RE: Kifer	CAROLINA 000182	CAROLINA 000182
371	Facsimile Transmittal Sheet of "Carolina Building Solutions" RE: Kifer	CAROLINA 000168	CAROLINA 000168
372	Letterhead of "Carolina Building Solutions" RE: Kifer	CAROLINA 000169	CAROLINA 000169
373	Envelope for letterhead of "Carolina Building Solutions" RE: Kifer	CAROLINA 000170	CAROLINA 000170
374	"2003 Specifications" sheet of "Carolina Building Solutions, LLC" RE: Kifer	CAROLINA 000001	CAROLINA 000001
375	Brochure of "Carolina Building Solutions" RE: Kifer	CAROLINA 000136	CAROLINA 000151
376	Picture and Floor Plan of "The Canterbury Bonus Ranch" from "Carolina Building Solutions, LLC" RE: Kifer	CAROLINA 000114	CAROLINA 000115
377	Picture and Floor Plan of "Carolina Series Cap Cods" from "Carolina Building Solutions, LLC" RE: Kifer	CAROLINA 000070	CAROLINA 000073
378	Miscellaneous Invoices of "Ash-lee's Embroidery" RE: Kifer	CAROLINA 000024	CAROLINA 000042
379	Miscellaneous magazine ads for "Carolina Building Solutions" RE: Kifer	CAROLINA 000004	CAROLINA 000023
380	Invoice dated 10/03/02 for Yellow Pages ad	CAROLINA 000063	CAROLINA 000065
381	Web pages from Carolina Building Solutions site <a href="http://www.cbsmods.com">www.cbsmods.com</a> RE: Kifer	CAROLINA 000043	CAROLINA 000058
382	Letter dated 04/16/02 to Elliot J. Fabri, President of Carolina Building Solutions, from Roberta Jacobs-Meadway of Ballard Spahr Andrews & Ingersoll RE: Kifer	CAROLINA 000198	CAROLINA 000199
383	Letter dated 04/24/02 to Ms. Jacobs-Meadway from Larry L. Kifer RE: Kifer	CAROLINA 000196	CARLOINA 000197

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
384	Letter dated 05/08/02 to Larry L. Kifer from Roberta Jacobs-Meadway of Ballard Spahr Andrews & Ingersoll RE: Kifer	CAROLINA 000194	CAROLINA 000194
385	Letter dated 05/14/02 from Larry L. Kifer to Roberta Jacobs-Meadway RE: Kifer	CAROLINA 000192	CAROLINA 000193
386	Copies of business cards of CertainTeed personnel held at Carolina Building Solutions RE: Kifer	CAROLINA 000189	CAROLINA 000189
387	Letter of 05/31/02 from Roberta Jacobs-Meadway to Larry L. Kifer RE: Kifer	CAROLINA 000191	CAROLINA 000191
388	Letter of 06/04/02 from Larry L. Kifer to Roberta Jacobs-Meadway RE: Kifer	CAROLINA 000190	CAROLINA 000190
389	CertainTeed Shipping Form/Bill of Lading dated 12/04/00 RE: Kifer	CAROLINA 000002	CAROLINA 000003
390	Sample of a gutter hood (Physical)	Zondlak Dep. Exh. 1	Zondlak Dep. Exh. 1
391	Solution Company, Inc. ad featuring "Gutter Solution" and "The Roofing Solution Systems" RE: Zondlak	Zondlak Dep. Exh. 2	Zondlak Dep. Exh. 2
392	Ad featuring "Solution Company" – "Statewide Installation" RE: Zondlak	Zondlak Dep. Exh. 3	Zondlak Dep. Exh. 3
393	Ad featuring "Solution Company – "No Clog Gutter Hod Systems RE: Zondlak	Zondlak Dep. Exh. 4	Zondlak Dep. Exh. 4
394	2-pg ad of Solution Company featuring "Roofing . . . Siding . . . Soffit . . . Fascia" RE: Zondlak	Zondlak Dep. Exh. 5	Zondlak Dep. Exh. 5
395	2-pg ad of Solution Company, Inc. featuring "Gutter Mate" and "...Seamless Vinyl Siding" ( <a href="http://www.buildingsolution.com">www.buildingsolution.com</a> ) RE: Zondlak	Zondlak Dep. Exh. 6	Zondlak Dep. Exh. 6
396	2-pg ad featuring "The Roofing Solutions Systems" RE: Zondlak	Zondlak Dep. Exh. 7	Zondlak Dep. Exh. 7
397	Ad of Solution Company, Inc., featuring "Let us turn your typical home into a log sided home. . . ." RE: Zondlak	Zondlak Dep. Exh.8	Zondlak Dep. Exh. 8
398	2-pg ad of Solution Company, Inc., titled "Copper Architectural & Historical Gutter and Roofing Products" RE: Zondlak	Zondlak Dep. Exh. 9	Zondlak Dep. Exh. 9
399	2-pg ad featuring "The Gutter Solution System's Underground Dispersal Unit" RE: Zondlak	Zondlak Dep. Exh. 10	Zondlak Dep. Exh. 10
400	"Specification and Price Estimate" sheet of "Gutter Solution, Inc." RE: Zondlak	Zondlak Dep. Exh. 11	Zondlak Dep. Exh. 11
401	Blank Invoice of "Gutter Solution, Inc." RE: Zondlak	Zondlak Dep. Exh. 12	Zondlak Dep. Exh. 12
402	Business Card of Andrew J. Pace of "Safe Building Solutions" RE: Pace	SBS 000001	SBS 000001
403	Invoice of "Safe Building Solutions" RE: Pace	SBS 000002	SBS 000002
404	Ad from <i>Successful Builder Magazine</i> featuring	SBS 000003	SBS 000003



Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
	"Safe Building Solutions"		
405	Ad of "Safe Building Solutions" featuring AFM Safecoat RE: Pace	SBS 000004	SBS 000004
406	Brochure of "Safe Building Solutions" featuring products and services offered RE: Pace	SBS 000005	SBS 000005
407	Brochure of "Safe Building Solutions" featuring " <i>A Collection of Healthier and Natural Building and Remodeling Products from Safe Building Solutions</i> " RE: Pace	SBS 000006	SBS 000006
408	Ad of "Safe Building Solutions" titled Dwell Well and featuring "Safecoat" RE: Pace	SBS 000007	SBS 000007
409	AFM Safecoat ad featuring "Safe Building Solutions" and others RE: Pace	SBS 000008	SBS 000008
410	"Certificate of Persons Conducting Business Under Assumed Name" form from State of Michigan, County of Genesee RE: Cowell	COWELL 0003	COWELL 0003
411	Business Card of Terry Cowell of "Building Solutions" RE: Cowell	COWELL 0001	COWELL 0001
412	Letter of 03/25/03 to William Fisher from Terry Cowell of "Building Solutions" RE: Cowell	COWELL 0002	COWELL 0002
413	"Business Registration Certificate" of "Building Solutions" dated 04/02 RE: Cowell	COWELL 0005	COWELL 0005
414	Invoice of Direct Mail Express/ Carrington Publications to "Building Solutions" signed by Terry Cowell on 03/26/03 RE: Cowell	COWELL 0006	COWELL 0007
415	"Construction Contract" between "Building Solutions" and Ladonna Gamble RE: Cowell	COWELL 0008	COWELL 0010
416	Statement of "Acme Building Materials, Inc." to "Building Solutions" dated 08/01/02 RE: Cowell	COWELL 0011	COWELL 0011
417	Invoice from "Ward Bros." To "Building Solutions" dated 06/21/02 RE: Cowell	COWELL 0012	COWELL 0012
418	"Estimate" from "Building Solutions" to Mr. Mark Fay RE: Cowell	COWELL 0013	COWELL 0013
419	Letter from "Building Solutions" to Mr. & Mrs. George Miller dated 04/08/02	COWELL 0021	COWELL 0022
420	Invoice from "Building Solutions" to Marty Alexander dated 01/28/03 RE: Cowell	COWELL 0031	COWELL 0032
421	Invoice from "COD Store 5" to "Building Solutions" dated 08/08/02 RE: Cowell	COWELL 0030	COWELL 0030
422	"Certificate of Incorporation" issued by State of Washington Sec'y of State to "CM Building Solutions, Inc." on 10/07/99 RE: Calderwood	CMBS 000002	CMBS 000002
423	"Corporate Profile" of "CM Building Solutions, Inc." RE: Calderwood	CMBS 000004	CMBS 000004

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
424	"Master License Service" document indicating "Organization Type" of "CM Building Solutions" issued by State of Washington Registrations and Licenses division RE: Calderwood	CMBS 000001	CMBS 000001
425	"Business License" of "CM Building Solutions, Inc." issued by City of Seattle Revenue and Consumer Affairs division expiring 12/31/03 RE: Calderwood	CMBS 000008	CMBS 000008
426	"Alaska Business License" issued to "CM Building Solutions" by Alaska Dept. of Community and Economic Development RE: Calderwood	CMBS 000005	CMBS 000005
427	"City of Seward Business License" issued by State of Alaska to "CM Building Solutions, Inc." RE: Calderwood	CMBS 000006	CMBS 000006
428	Letter from "CM Building Solutions" over name of Thomas B. Calderwood (unsigned, undated) RE: Calderwood	CMBS 000003	CMBS 000003
429	Invoice of "CM Building Solutions, Inc." RE: Calderwood	CMBS 000012	CMBS 000012
430	Business Card of Thomas Calderwood of "CM Building Solutions" RE: Calderwood	CMBS Dep. Exh. 9	CMBS Dep. Exh. 9
431	"Subcontract Agreement" of "CM Building Solutions" RE: Calderwood	CMBS 000013	CMBS 000020
432	Photo of "CM Building Solutions" featuring Carlyle Warehouse	CMBS 000009	CMBS 000009
433	Letter and Subpoena to Tom Calderwood from William Fisher of Perkins Coie dated 03/19/03 RE: Calderwood	CMBS Dep. Exh. 12	CMBS Dep. Exh. 12
434	Fax Transmittal sheet from "CM Building Solutions, Inc." to David East of Perkins Coie dated 03/31/03 RE: Calderwood	CMBS Dep. Exh. 13	CMBS Dep. Exh. 13
435	"Renewal of Trade Name" issued by State of Arizona to "Building Solutions" RE: Hammond	HAMMOND 000001.1	HAMMOND 000001.1
436	"Contractor License" issued by State of Arizona Office of Registrar of Contractors to "Building Solutions (Invid.)" RE: Hammond	HAMMOND 000002	HAMMOND 000002
437	Business Card of Phil Hammond featuring "Building Solutions" RE: Hammond	HAMMOND 000001	HAMMOND 000001
438	Letterhead of "Building Solutions" RE: Hammond	HAMMOND 000003	HAMMOND 000003
439	Color pages from ad binder of "Building Solutions" titled "The Mirror Finish" RE: Hammond	Hammond Dep. Exh. 5	Hammond Dep. Exh. 5
440	"Building Solutions" magazine Vol. 1, No. 1, dated 1996 RE: Grala	SIEMENS 000001	SIEMENS 000001

Tr. Exh. No.	Description	Beginning Bates No.	Ending Bates No.
441	"Building Solutions" magazine Vol. 6, No. 2 dated 2002 RE: Grala	SIEMENS 000054	SIEMENS 000054
442	"Solutions" magazine Vol. 4, No. 3 dated 08/1991 RE: Grala	SIEMENS 000058	SIEMENS 000075
443	"Solutions" magazine Vol. 2, No. 2 dated 1998 RE: Grala	SEIMENS 000166	SIEMENS 000174
444	"Literature Training & Shows" document RE: Grala	SIEMENS 000205	SIEMENS 000198
445	Web pages reflecting "WhoIs" search results dated 03/24/03 RE: Grala	SIEMENS 000016	SIEMENS 000016
446	Web page from Siemens site featuring "The Right Solution for Every Building" RE: Grala	Grala Dep. Exh. 7	Grala Dep. Exh. 7
447	Web pages from Siemens site featuring "Building Solutions Magazine" RE: Grala	Grala Dep. Exh. 7	Grala Dep. Exh. 7
448	Ad featuring "JT Building Solutions" RE: Miller	JTBS 000014	JTBS 000014
449	"Records of Incorporation" certificate issued by State of Ohio to "JT Building Solutions, Inc." RE: Miller	JTBS 000004	JTBS 000004
450	Business Cards of Jeff Miller of "JT Business Solutions" RE: Miller	JTBS 000009	JTBS 000009
451	Subpoena dated 03/14/03 RE: Lessard	Lessard Dep. Exh. 1	Lessard Dep. Exh. 1
452	Invoice from Twin Rivers Printing Company to "Building Solutions/William Lessard" dated 11/01/90 RE: Lessard	Lessard Dep. Exh.2	Lessard Dep. Exh. 2
453	"Application for Directory Advertising" to "Building Solutions" RE: Lessard	Lessard Dep. Exh. 3	Lessard Dep. Exh. 3
454	Invoice from Askew's, Inc. to "Building Solutions, Inc." dated 11/25/90 RE: Lessard	Lessard Dep. Exh. 4	Lessard Dep. Exh. 4
455	State of North Carolina, Dept. of State "Articles of Incorporation" dated February 1, 1995 RE: Lessard	Lessard Dep. Exh. 5	Lessard Dep. Exh. 5
456	"General Contracting License" issued by NC Board for General Contractors dated 12/31/03 RE: Lessard	Lessard Dep. Exh. 6	Lessard Dep. Exh. 6
457	Statement from "Building Solutions" dated 12/25/97 RE: Lessard	Lessard Dep. Exh. 7	Lessard Dep. Exh. 7
458	Invoice from Signs Galore to "Building Solutions" RE: Lessard	Lessard Dep. Exh. 8	Lessard Dep. Exh. 8
459	"Application" to register a business operating under an assumed name RE: Lessard	Lessard Dep. Exh. 9	Lessard Dep. Exh. 9
460	Business Cards of William Lessard featuring "Building Solutions"	Lessard Dep. Exh. 10	Lessard Dep. Exh. 10

<b>Tr. Exh. No.</b>	<b>Description</b>	<b>Beginning Bates No.</b>	<b>Ending Bates No.</b>
461	State of Oklahoma, Secretary of State, Certificate of Incorporation for Logical Building Solutions, Inc.	Logical Dep. Exh. 1	Logical Dep. Exh. 1
462	05/12/1999 Letter from Roberta Jacobs-Meadway to Rusty Riggs, Logical Building Solutions, Inc. requesting that Logical Building Solutions cease and desist their use of "Building Solutions"	Logical Dep. Exh. 2	Logical Dep. Exh. 2
463	06/04/1999 Letter from Max Tuepker, Esq. to Roberta Jacobs-Meadway responding to 05/12/1999 cease and desist letter	Logical Dep. Exh. 3	Logical Dep. Exh. 3
464	06/29/1999 Letter from Roberta Jacobs-Meadway to Max C. Tuepker proposing that Logical Building Solutions agree to limit its use of the mark "Building Solutions"	Logical Dep. Exh. 4	Logical Dep. Exh. 4
465	09/28/1999 Letter from Max C. Tuepker to Roberta Jacobs-Meadway regarding asserted infringement of the "Building Solutions" mark and revisions to the Coexistence Agreement	Logical Dep. Exh. 5	Logical Dep. Exh. 5
466	07/26/1999 Coexistence Agreement by and between CertainTeed Corporation and Logical Building Solutions, Inc.	Logical Dep. Exh. 6	Logical Dep. Exh. 6
467	Logical Building Solutions, Inc. letterhead	Logical Dep. Exh. 7	Logical Dep. Exh. 7
468	Business card for Rusty Riggs, President, Logical Building Solutions, Inc.	Logical Dep. Exh. 8	Logical Dep. Exh. 8

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CERTAINTEED CORPORATION,

Plaintiff,

v.

BOISE CASCADE CORPORATION,

Defendant.

Civil Action No. 02-2677

Hon. William H. Yohn

**CERTIFICATE OF SERVICE**

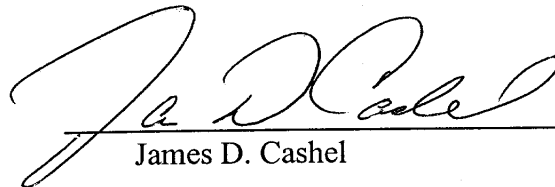
I HEREBY CERTIFY that on this 7<sup>th</sup> day of July 2003, I served a true and correct copy of the foregoing **DEFENDANT'S PRE-TRIAL DISCLOSURES** on counsel for plaintiff, as follows:

Roberta Jacobs-Meadway  
Lynn Rzonca  
Richard Peirce  
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James D. Cashel